

AMENDMENT / RESPONSE TRANSMITTAL

Applicant : John Daly
App. No. : 10/658,093
Filed : September 9, 2003
For : CONSTRUCTS FOR GENE
EXPRESSION ANALYSIS
Examiner : Daniel M. Sullivan
Art Unit : 1636

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 18, 2004

(Date)

Jennifer A. Haynes
Jennifer A. Haynes, Ph.D., Reg. No. 48,868

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) RESPONSE TO RESTRICTION REQUIREMENT in 4 pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

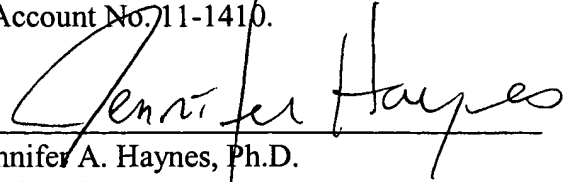
| FEE CALCULATION | | | | |
|--------------------|---------------|--------------|---------------|-------|
| FEE TYPE | | FEE CODE | CALCULATION | TOTAL |
| Total Claims | 112 - 112 = 0 | 2202 (\$9) | 0 x 9 = | \$0 |
| Independent Claims | 21 - 21 = 0 | 2201 (\$43) | 0 x 43 = | \$0 |
| Multiple Claim | | 2203 (\$145) | | \$0 |
| 1 Month Extension | | 2251 (\$55) | | \$55 |
| 2 Month Extension | | 2252 (\$210) | | \$ |
| 3 Month Extension | | 2253 (\$475) | | \$ |
| | | | TOTAL FEE DUE | \$55 |

- (X) An extension of time is hereby requested by payment of the appropriate fee indicated above.
- (X) A check in the amount of \$55 is enclosed.
- (X) Return prepaid postcard.

Docket No.: DAVI125.001CP1

Customer No.: 20,995

- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Jennifer A. Haynes, Ph.D.

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Agent of Record

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

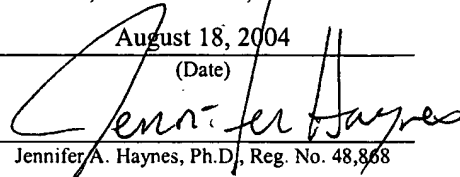
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Restriction Requirement mailed from the United States Patent and Trademark Office on June 18, 2004.

Remarks/Arguments begin on page 2 of this paper.